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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

NEW YORK MARINE AND
GENERAL INSURANCE
COMPANY,

Plaintiff,

vs.

JUNKERMIER, CLARK,
CAMPANELLA, STEVENS, P.C.,
DRAGGIN'Y CATTLE COMPANY,
INC., and ROGER and CARRIE
PETERS, individuals,

Defendants.

DRAGGIN'Y CATTLE COMPANY,
INC. and ROGER and CARRIE
PETERS,

Counter-Plaintiffs,

vs.

NEW YORK MARINE AND
GENERAL INSURANCE
COMPANY,

Counter-Defendants.

Cause No. CV-14-00083-BMM-JTJ

**NON-PARTIES' FILING OF
PROOF OF COSTS PURSUANT
TO THE COURT'S ORDER OF
SEPTEMBER 10, 2019**

Non-Parties Thomas A. Marra, Kirk D. Evenson, and Marra, Evenson & Levine, P.C., request an award of their costs in responding to the Subpoena and preparation of the privilege log, as ordered by the Court on September 10, 2019. Compliance with the production must include the condition that the serving party, here NYM, compensate the recipients who are a non-party to the litigation. *Legal Voice v. Storans, Inc.*, 757 F.3d 1015 (9th Cir. 2014); *Legal Voice v. Storans, Inc.*, 738 F.3d 1178, 1183-84 (9th Cir. 2013)(Rule 45(d)(2)(B(ii) requires the district court to shift a non-party's costs of compliance with a subpoena, if those costs are significant).

Attached are the time records and disbursements, with invoices, for compliance with the Subpoena and preparation of the privilege log. The costs were significant and the non-party requests an Order of the Court awarding the costs and fees.

DATED this 5th day of December, 2019.

/s/ Marshal L. Mickelson
Corette Black Carlson & Mickelson
Attorneys for Marra, Evenson &
Levine, P.C., Non-Party